

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 4:23CR00671 JAR
)	
MASCIO WHITFIELD,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Joseph S. Dueker (ECF No. 35). On August 29, 2024, Defendant Whitfield filed a Motion to Dismiss the Indictment (ECF No. 33). Magistrate Judge Dueker recommends the Court deny Defendant's Motion to Dismiss the Indictment.

Pursuant to 28 U.S.C. § 636(b), these matters were referred to United States Magistrate Judge Joseph S. Dueker, who filed a Report and Recommendation on October 1, 2024 (ECF No. 35). Defendant Whitfield filed objections to the Report and Recommendation on October 15, 2024 (ECF No. 36), summarily stating that he objects to the conclusions drawn by Magistrate Judge Dueker, but fails to provide any countervailing rationale for his position. The Court finds that the Magistrate Judge's conclusions are supported by the evidence, and Defendant Whitfield's objections are not persuasive.

The Magistrate Judge recommends that the Motions to Dismiss Indictment be denied. After de novo review of this matter, this Court adopts the Magistrate Judge's recommendation.


Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge [35] is **SUSTAINED, ADOPTED, AND INCORPORATED** herein.

IT IS FURTHER ORDERED that the Motion to Dismiss Indictment [33] is **DENIED**.

IT IS FURTHER ORDERED that the **jury trial** in this matter is set for **Monday,**
December 2, 2024 at 9:00 a.m.

Dated this 24th day of October, 2024.



JOHN A. ROSS
UNITED STATES DISTRICT JUDGE